

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FRANCIS DONALD COTA,

Petitioner,

Hon. Richard Alan Enslen

v.

Case No. 1:05-CV-477

LINDA M. METRISH,

Respondent.

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ORDER

This matter is before the Court on Petitioner's Petition for Bond. As the Sixth Circuit has held, to obtain release from prison pending resolution of a habeas petition, the petitioner "must be able to show not only a substantial claim of law based on the facts surrounding the petition but also the existence of 'some circumstance making [the motion for bail] exceptional and deserving of special treatment in the interests of justice.'" *Dotson v. Clark*, 900 F.2d 77, 79 (6th Cir. 1990) (internal citations omitted); *see also, Greenup v. Snyder*, 57 Fed. Appx. 620, 621 (6th Cir. 2003) (same). Petitioner has failed to demonstrate entitlement to the requested relief. Accordingly, Petitioner's Request for Bond (Dkt. No. 9) is **DENIED**.

DATED in Kalamazoo, MI:
September 22, 2005

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE